

PROB 12C
(7/93)

Report Date: June 21, 2010

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUN 22 2010

JAMES R. LARSEN, CLERK
DEPUTY
RICHLAND, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Devin W. Prouty

Case Number: 2:09CR02094-004

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, U.S. District Judge

Date of Original Sentence: 5/12/2010

Original Offense: Unauthorized Excavation, Removal, Damage, Alteration, or Defacement of
Archeological Resources, 16 U.S.C. § 470ee

Original Sentence: Probation - 24 Months

Type of Supervision: Probation

Asst. U.S. Attorney: Jane Kirk

Date Supervision Commenced: 5/12/2010

Defense Attorney: Edwin F. Alden

Date Supervision Expires: 5/11/2012

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 **Standard Condition #3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Mr. Prouty failed to report to the Washington State Department of Corrections (DOC) for a random urinalysis as instructed on June 18, 2009.

On June 18, 2010, Mr. Prouty was directed to report to the DOC office in Goldendale, Washington, to provide a urine sample. Mr. Prouty failed to report as instructed.

- 2 **Standard Condition # 1:** The defendant shall not leave the judicial district without the permission of the Court or probation officer.

Supporting Evidence: On June 19, 2010, Mr. Prouty traveled outside the Eastern District of Washington, specifically Biggs, Oregon, without permission.

On June 19, 2010, Mr. Prouty traveled to Biggs, Oregon, where he was arrested on a failure to appear Wasco County Circuit Court warrant on cause number 0902615MT. The defendant was booked into the Northern Oregon Regional Correctional Facilities (NORCOR) where he currently remains.

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3 **Standard Condition #2:** The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first 5 days of each month.

Supporting Evidence: Mr. Prouty has failed to submit his monthly report form within the first 5 days for the month of June 2010.

4 **Standard Condition # 6:** The defendant shall notify the probation officer at least 10 days prior to any change in residence or employment.

Supporting Evidence: Mr. Prouty has failed to report a change of residence as of June 21, 2010.

Mr. Prouty reported residing at 605 Woodland Road, Goldendale, Washington. On June 21, 2010, the defendant's landlord was contacted and reported Mr. Prouty has not been residing at his residence for the past 2 weeks. He further stated Mr. Prouty was no longer welcome to stay at his residence if he was not willing to comply with his conditions of supervision.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 06/21/2010

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

6/25/10
Date